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SCHEDULES

SCHEDULE 2

TYPE APPROVAL OF VEHICLES AND VEHICLE PARTS

PART I

AMENDMENTS OF PART III OF ROAD TRAFFIC ACT 1960

- 1 (1) In section 129, in subsection (1) after the words " certifying officer " there shall be inserted the words " that a certificate under section 47 of the Road Traffic Act 1972 has been issued in respect of the vehicle or " and for the words " such a certificate " there shall be substituted the words " a certificate of fitness ".
- (2) In the proviso to subsection (3) of that section after the words " comply with " there shall be inserted the words " the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972 or, as the case may be, with " and after the word "until" there shall be inserted the words " they are satisfied that the vehicle again conforms with those type approval requirements or, as the case may be, until ".
- (3) In subsection (4) of that section for the words from " unless " to the end of the subsection there shall be substituted the words " continue in force until revoked or until it ceases to be in force by virtue of any other provision of this Part of this Act ".
- (4) In subsection (5) of that section after the words "comply with " there shall be inserted the words " the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972, or, as the case may be, with ".
- (5) After subsection (5) of that section there shall be inserted the following subsection:—
 - “(6) If a certificate of fitness is revoked by a certifying officer under subsection (5) of this section on the ground that the vehicle in respect of which the certificate was in force does not comply with the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972, then, notwithstanding anything in subsection (1) of this section, a new certificate of fitness shall not be issued in respect of that vehicle by a certifying officer unless he is satisfied that the vehicle does comply with those requirements”.
- 2 Section 130 shall cease to have effect.
- 3 In section 131(1), paragraph (b) shall be omitted.
- 4 In section 133(4) for the word "if" there shall be substituted the words " remove the suspension if—
 - (a) a certificate under section 47 of the Road Traffic Act 1972 has been issued in respect of the vehicle and he is satisfied that the vehicle conforms with the relevant type approval requirements, as defined in that section, or
 - (b) no such certificate has been issued but ",

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and the words "remove the suspension", in the last place where they occur, shall be omitted.

5 After section 133 there shall be inserted the following section:—

“133A Certificate of freedom from defects.

If, at the request of the holder of a public service vehicle licence, the vehicle to which the licence relates is inspected by a certifying officer or public service vehicle examiner and, on that inspection, it appears to him that the condition of the vehicle is such that there is no cause for him to exercise any of his powers under section 133 of this Act he shall furnish to the holder of the licence a certificate to that effect.”